IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLN.NO.1100 OF 2007

Lalesaheb Shaikhsaheb Nadaf ..Applicant

Vs.

State of Maharashtra ..Respondents

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Mr.K.S.Patil and Deepak Girme Advocate for Applicant
Mr.K.V.Saste A.P.P. for the State

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CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 06, 2007

**P.C.**

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. The applicant is seeking bail in C.R.No.3183 of 2006 of Hadapsar Police Station, Pune. The said case is under Section 20(b) of the NDPS Act.

3. On 27.9.2006, original accused nos. 1 and 2 were found in an Indigo Car. In the said Indigo Car, Ganja worth approximately Rs.83,000/- was found. The applicant was admittedly not in the said Car.

4. In the present case, the investigation is over

and the charge sheet has been filed. The applicant admittedly is not the owner of the said Car. Nothing is recovered at his instance. The only material against the applicant is the statement of co-accused who has involved the applicant. As the present case is being investigated by the police machinery, obviously this statement made by the co-accused to the police, cannot be taken into consideration. In such case, there is no admissible material against the present applicant. Hence, I am inclined to release the applicant on bail.

5. The applicant to be released on bail in the sum of Rs.30,000/- (Rs.thirty thousand only) with one or two sureties to make up the said amount in C.R.No.3183 of 2006 of Hadapsar Police Station, Pune. The applicant shall report to the concerned Police Station once in a week till the conclusion of trial.

6. Application is disposed of.

[Smt. V.K.Tahilramani, J.]